

7 and R₅ are independently hydrogen, alkyl, aryl, arylalkyl or cycloaliphatic
8 groups with or without substituents and X is a halogen atom selected from
9 chlorine, bromine or iodine with a halide promoter, an organic acid, water and a
10 palladium catalyst in an organic solvent selected from ketones or cyclic ethers in
11 carbon monoxide atmosphere under homogeneous conditions, at a temperature
12 ranging between 30 to 130°C, for a period ranging between 0.3 to 4 hrs, at
13 pressures ranging between 50 to 1500 psig,

14 (ii) cooling the reaction mixture to an ambient temperature,

15 (iii) flushing the reaction vessel with an inert gas,

16 (iv) removing the solvent by conventional methods, and

17 separating the catalyst and isolating 2-aryl propionic acid having formula (IV) as
18 shown in the accompanying drawings, wherein, R₁ is aryl, substituted aryl,
19 naphthyl or substituted naphthyl groups, R₂, R₃, R₄ and R₅ are independently
20 represented by hydrogen, alkyl, aryl, arylalkyl, cycloaliphatic groups with or
21 without substituents.

(Please amend claim 2 as follows:

1 2. (Amended) A process as claimed in claim 1, wherein catalyst is selected from the
2 group of palladium(O) or palladium(II) compound comprising palladium chloride,
3 palladium bromide, palladium iodide, bis(triparatolylphoshino) dichloro palladium(II),
4 bis(triethylphosphino) dichloro palladium(II), bis(triisopropylphosphino) dichloro
5 palladium(II), dibenzylideneacetonato- palladium(O), cyclooctadiene dichloro

A 6 palladium(II), bisbenzonitriledi-chloro palladium(II), acetylacetonato palladium(II) and
7 bisacetonitrile dichloro palladium(II).

Please amend claim 7 as follows:

A 2
1 7. (Amended) A process as claimed in claim 1 wherein in step (I) the organic solvent
2 is selected from the group of ketones comprising methyl ethyl ketone, methyl
3 isobutyl ketone, diethyl ketone, methyl n-propyl ketone, acetophenone or cyclic
4 ethers.

Please add the following new claim:

A 3 1 20. A process as claimed in claim 7, wherein the cyclic ethers are tetrahydrofuran and
2 dioxan.

REMARKS

Claims 1-19 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 18-19, 21-23, and 25-36 of co-pending Application No. 09/662,035.

The Examiner's provisional rejection is respectfully traversed.

The Applicants request that the Examiner withdraw this rejection because the present application was filed prior to co-pending Application No. 09/662,035. Additionally, the essential raw material, "Palladium catalyst", used in the process of the present invention is different from the one used in the co-pending application. In other words, the catalyst used in the present invention has a different ligand attached to palladium (O) or Palladium (II) halide salts from the one cited in the co-pending application '035. Thus, the scope of the present